

ERIC GRANT  
United States Attorney  
ARIN C. HEINZ  
Assistant United States Attorney  
2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
Telephone: (559) 497-4000  
Facsimile: (559) 497-4099

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.

LUIS MELENDEZ,  
  
Defendants.

CASE NO. 1:24-CR-000273-KES-BAM

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
AND ORDER

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through her counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on September 10, 2025.
2. By this stipulation, defendant now moves to continue the status conference to December 10, 2025, and to exclude time between September 10, 2025, and December 10, 2025, pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government provided initial discovery to the defense on December 10, 2024. The discovery generally consisted of law enforcement reports, bodycam footage, photographs and medical records. As investigation was ongoing, the Government provided additional

1 discovery to defense counsel. The government also recently received additional medical records  
2 from the victim related to the victim's ongoing medical care of her injuries from the assault. The  
3 government is in the process of providing these records to defense counsel in supplemental  
4 discovery.

5 b) At the status conference on March 12, 2025, the defendant requested, and the  
6 Court granted, a competency evaluation pursuant to 18 U.S.C. Section 4241. The parties received  
7 the sealed psychological evaluation on May 27, 2025. The defense counsel continues to  
8 investigate and assess the psychological evaluation.

9 c) The government made a plea offer to the defense on June 13, 2025. The defense  
10 counsel requires additional time to discuss the plea offer with her client and conduct her own  
11 investigation into the charges. Defense counsel requests additional time to conduct her own  
12 independent investigation.

13 d) The defendant asks the Court to exclude time between September 10, 2025, and  
14 December 10, 2025, to account for time to discuss the plea with the Government and defendant,  
15 to conduct her own investigation, taking into account the exercise of due diligence.

16 e) The government does not object to the continuance.

17 f) Based on the above-stated findings, the ends of justice served by continuing the  
18 case as requested outweigh the interest of the public and the defendants in a trial within the  
19 original date prescribed by the Speedy Trial Act.

20 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
21 et seq., within which trial must commence, the time period of September 10, 2025 to December  
22 10, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because  
23 it results from a continuance granted by the Court at defendants' request on the basis of the  
24 Court's finding that the ends of justice served by taking such action outweigh the best interest of  
25 the public and the defendant in a speedy trial.

26 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
27 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
28 must commence.

1 IT IS SO STIPULATED.

2  
3 Dated: August 31, 2025

ERIC GRANT  
Acting United States Attorney

4 /s/ ARIN C. HEINZ  
5 ARIN C. HEINZ  
Assistant United States Attorney

6  
7 Dated: August 31, 2025

8 /s/ BARBARA O'NEILL  
BARBARA O'NEILL  
Counsel for Defendant

9  
10 **ORDER**

11 IT IS SO ORDERED that the status conference is continued from September 20, 2025, to  
12 **December 10, 2025 at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.**  
13 Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv). If the parties do not resolve the case in  
14 advance of the next status conference, they shall be prepared to set a trial date at the status conference  
15 hearing.  
16

17  
18 IT IS SO ORDERED.

19 Dated: **September 2, 2025**

20 /s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE